

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

LOUISETTE GEISS, KATHERINE
KENDALL, ZOE BROCK, SARAH ANN
THOMAS (a/k/a SARAH ANN MASSE),
MELISSA SAGEMILLER, and
NANNETTE KLATT, individually and on
behalf of all others similarly situated,

Plaintiffs,

-against-

THE WEINSTEIN COMPANY
HOLDINGS, LLC, MIRAMAX, LLC,
MIRAMAX FILM CORP., MIRAMAX FILM
NY LLC, HARVEY WEINSTEIN, ROBERT
WEINSTEIN, DIRK ZIFF, TIM SARNOFF,
MARC LASRY, TARAK BEN AMMAR,
LANCE MAEROV, RICHARD
KOENIGSBERG, PAUL TUDOR JONES,
JEFF SACKMAN, JAMES DOLAN,
MIRAMAX DOES 1-10, and JOHN DOES
1-50, inclusive,

Defendants.

Case No. 17-cv-09554 (AKH)

**DEFENDANT HARVEY WEINSTEIN'S
NOTICE OF MOTION TO DISMISS
PLAINTIFFS' COMPLAINT PURSUANT
TO FED. R. CIV. P. 12(B)(6) AND TO
STRIKE CLASS ALLEGATIONS
PURSUANT TO FED. R. CIV. P. 12(F)**

PLEASE TAKE NOTICE that, upon the accompanying Memorandum of Law submitted herewith, Plaintiffs' Complaint and all documents incorporated by reference thereto and all facts and circumstances upon which the Court may take judicial notice, Defendant Harvey Weinstein will move this Court, before the Honorable Alvin K. Hellerstein, United States District Judge, in Courtroom 14D, at the Daniel Patrick Moynihan United States Courthouse, 500 Pearl Street, New York, New York 10007 on April 11, 2018, at 10:00 a.m. or as soon thereafter as counsel can be heard, for an Order pursuant to Federal Rule of Civil Procedure 12(b)(6) and 12(f), dismissing with prejudice the first, second, fifth, sixth, seventh, eighth, ninth, tenth,

eleventh, and twelfth Counts of the Complaint, and striking the class allegations in various paragraphs of the Complaint.

Dated: February 20, 2018

KUPFERSTEIN MANUEL LLP

/s/ Phyllis Kupferstein

Phyllis Kupferstein
865 South Figueroa Street
Suite 3338
Los Angeles, California 90017
Telephone: (213) 988-7531
Facsimile: (213) 988-7532
pk@kupfersteinmanuel.com

MORRISON COHEN LLP

Mary E. Flynn
Aaron M. Schue
909 Third Avenue
New York, NY 10022
Telephone: (212) 735-8600
Facsimile: (212) 735-8708

Attorneys for Defendant Harvey Weinstein

To (*via ECF*): All counsel of record